

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PATRICIA RIVARD,

Plaintiff,

v.

Case No. 12-14302
Hon. Lawrence P. Zatkoff

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter comes before the Court on the Magistrate Judge's Report and Recommendation [dkt 12], in which the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment [dkt 9] be granted in part, Defendant's Motion for Summary Judgment [dkt 10] be denied, and this case be remanded for a proper evaluation of the record. The Court is also in receipt of Defendant's objections [dkt 13] to the Report and Recommendation, and Plaintiff's response [dkt 14] to Defendant's objections.

The Court has thoroughly reviewed the court file, the Report and Recommendation, Defendant's objections and Plaintiff's response. The Court finds most of the substance of Defendant's objections to be contained in Defendant's Motion for Summary Judgment and therefore adequately addressed by the Magistrate Judge's Report and Recommendation. To the extent that Defendant presents objections not previously argued in its motion, the Court has reviewed said objections and determines them to be without merit. The Court finds the Magistrate Judge's legal

analysis to be sound and sees no need to disturb her conclusions. As such, the Court ADOPTS the Report and Recommendation and enters it as the findings and conclusions of this Court.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment [dkt 9] is GRANTED IN PART.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [dkt 10] is DENIED.

IT IS FURTHER ORDERED that pursuant to 42 U.S.C. § 405(g) this case be remanded to Defendant for a proper evaluation of the record.

IT IS SO ORDERED.

Date: February 21, 2014

S/Lawrence P. Zatkoff
Hon. Lawrence P. Zatkoff
U.S. District Judge